

The Mobile Informational Call Act reflects the reality of the day. Forty percent of Americans now use mobile phones as their primary or exclusive communications device. People need to be reached in real time if their flight is delayed, their credit card numbers have been compromised, their medications have been recalled, their electricity restored, and for other time-sensitive information they may be interested in. This bill will help consumers receive timely and accurate information as soon as possible.

The bill strictly prohibits telephone solicitations and businesses must have prior express consent to contact consumers. The President has made a similar proposal in his deficit reduction plan.

H.R. 3035, the Mobile Informational Call Act of 2011:
Providing Consumers with Important Information in a Timely Manner

Companies increasingly rely on advanced communications technologies to convey timely and important information to consumers. These calls notify consumers about threats such as data breaches and fraud alerts, provide timely notice of flight and service appointment cancellations and drug recalls, and protect consumers against the adverse consequences of failure to make timely payments on an account.

Unfortunately, the Telephone Consumer Protection Act (TCPA) restricts informational calls to mobile devices. With approximately 40% of consumers relying on wireless phones as their primary or exclusive communications device, the TCPA's outdated restriction on the use of assistive technologies in contacting wireless consumers for nontelemarketing purposes is now doing far more harm than good.

H.R. 3035 would modernize the TCPA by:

- Exempting informational calls from the restriction on auto-dialer and artificial/prerecorded voice calls to wireless numbers;
- Clarifying the "prior express consent" requirement to ensure that the TCPA facilitates communications between consumers and the businesses with which they choose to interact.
- H.R. 3035 will also continue the prohibition against the use of assistive technologies to make telemarketing calls to wireless numbers.

- [Letter of Support for H.R. 3035](#)